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Counsel for Arba Group

**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF NEW YORK**

	)	Chapter 11
)	
)	
In re:	)	Case No. 19-76260 (AST)
	)	Case No. 19-76263 (AST)
	)	Case No. 19-76267 (AST)
Absolut Facilities Management, LLC, <i>et al.</i>,	)	Case No. 19-76268 (AST)
	)	Case No. 19-76269 (AST)
Debtors. ¹	)	Case No. 19-76270 (AST)
	)	Case No. 19-76271 (AST)
	)	Case No. 19-76272 (AST)
)	
	)	(Jointly Administered)

NOTICE OF DEPOSITION OF ALEXANDER SHERMAN²

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(1) of the Federal Rules of Civil

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: Absolut Facilities Management, LLC (1412); Absolut Center for Nursing and Rehabilitation at Allegany, LLC (7875); Absolut Center for Nursing and Rehabilitation at Aurora Park, LLC (8266); Absolut Center for Nursing and Rehabilitation at Gasport, LLC (8080); Absolut at Orchard Brooke, LLC (1641); Absolut Center for Nursing and Rehabilitation at Orchard Park, LLC (8300); Absolut Center for Nursing and Rehabilitation at Three Rivers, LLC (8133); and Absolut Center for Nursing and Rehabilitation at Westfield, LLC (7924).

² This Notice of Deposition is served in connection with the pending contested matters concerning (i) *the Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Obtain Postpetition Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 364(c)(1), 364(c)(2), 364(c)(3), 364(d)(1), and 364(e) and (B) Use of Cash Collateral* [ECF No. 4] (the "DIP Motion"); (ii) *the Debtors' Motion for Entry of Order Approving the Debtors' Plan of Closure for Orchard Park Facility* [ECF No. 51] (the "Closure Motion"); and (iii) *the Landlords' Motion for Entry of an Order Appointing Chapter 11 Trustee or, Alternatively, an Examiner, Pursuant to Section 1104* [ECF No. 69] (the "Trustee Motion").

Procedure, made applicable to this proceeding by Rules 7030 and 9014 of the Federal Rules of Bankruptcy Procedure, Arba Group and its affiliates (collectively, the “Landlords”³), through their attorneys, will take the deposition upon oral examination of Debtors’ General Counsel, **Alexander Sherman**. The deposition will take place on **Friday, October 25, 2019 at 10:00 a.m. EDT**, at the offices of Arent Fox LLP, 1301 Avenue of the Americas, Floor 42, New York, NY 10019, or at such other time and location as agreed to by the parties.

The deposition will take place before a notary public or any other officer authorized to administer oaths by the laws of the United States, and will continue day to day until completed. The deposition will be recorded by stenographic, audio, and/or audiovisual (*i.e.*, videotaped) means, and is being taken for all purposes permitted by the Federal Rules of Bankruptcy Procedure.

Dated: New York, New York
October 16, 2019

ARENT FOX LLP

Counsel for Arba Group

By: /s/ George P. Angelich
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³ The Landlords are 292 Main Street, LLC; 6060 Armor Road, LLC; 2178 N. Fifth Street, LLC; 101 Creekside Drive, LLC; 4540 Lincoln Drive, LLC; and 26 Cass Street, LLC.